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TO:

Name: Mail Stop PETITIONS
(Group Art Unit 2683/Examiner William Cumming)

Firm: U.S. Patent & Trademark Office

Fax No.: 703-872-9306

Subject: U.S. Patent Application No. 10/073,124
Hark C. Chan

Filed: February 9, 2002

INFORMATION DISTRIBUTION AND
PROCESSING SYSTEM

Attorney Docket No. 124.0005-10000

Customer No. 22882

Confirmation No.: 2589

FROM:

Name: Amedeo F. Ferraro

Phone No.: 310-286-9800

No. of Pages (including this): 29

Date: May 12, 2005

Confirmation Copy to Follow: NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Petition Under 37 C.F.R. § 1.181(a) For Withdrawal Of Improper Notice of Abandonment with copy of Transmittal, Amendment, Petition Pursuant to 37 CFR 1.136(a), Terminal Disclaimer, Information Disclosure Statement, and Form PTO-1449 as filed on February 25, 2003; and Declaration of Amedeo F. Ferraro with Revocation of Original Power of Attorney and Grant of New Power of Attorney and copy of Assignments and Change of Name documents as filed on April 19, 2005; are being facsimile transmitted to the U.S. Patent and Trademark Office on May 12, 2005.


Sandra L. Blackmon

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PATENT
Attorney Docket No. 124.0005-10000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
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MAY 12 2005

In re Application of:)
Hark C. Chan)
Serial No.: 10/073,124)
Filed: February 9, 2002)
For: INFORMATION DISTRIBUTION)
AND PROCESSING SYSTEM)

Confirmation No.: 2589
Group Art Unit: 2683
Examiner: William Cumming

Mail Stop PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 C.F.R. § 1.181(a)
FOR WITHDRAWAL OF IMPROPER NOTICE OF ABANDONMENT**

Applicant respectfully petitions the Commissioner to withdraw this application from abandonment. Applicant received a Notice of Abandonment dated March 22, 2005, due to failure to respond to an Office letter mailed August 26, 2002. Applicant encloses, for the Commissioner's convenience, the following items:

1. A copy of the Transmittal and Amendment filed February 25, 2003 in reply to the Examiner's Office Action dated August 26, 2002, and date-stamped as received by the Patent Office on February 25, 2003;
2. A copy of the Petition Pursuant to 37 CFR 1.136(a) filed February 25, 2003, submitted with the Amendment above, and date-stamped as received by the Patent Office on February 25, 2003;
3. A copy of the Terminal Disclaimer filed February 25, 2003, submitted with the Amendment above, and date-stamped as received by the Patent Office on February 25, 2003;
4. A copy of the Information Disclosure Statement and Form PTO-1449 filed February 25, 2003, submitted with the Amendment above, and date-stamped as received by the Patent Office on February 25, 2003;

5. Declaration of Amedeo F. Ferraro.

This Petition is being filed within two months from the action complained of pursuant to 37 C.F.R. § 1.181(f), and does not require a fee pursuant to MPEP 711.03(c)(I).

Applicant respectfully requests that the holding of abandonment be withdrawn, and that the Amendment filed February 25, 2003 and associated documents be entered and considered on the merits.


If there are any fees due in connection with the filing of this Petition, please charge the fee to our Deposit Account 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: 5-12-05

By:


Amedeo F. Ferraro
Registration No. 37,129

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030



Docket No: 818/39806
PATENT APPLICATION

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FEB 25 2003

Technology Center 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE FEB 25 2003

Applicant: Hark C. CHAN

Serial No.: 10/073,124

Art Unit: 2684

Filed: February 9, 2002

Examiner: William D. Cumming

For: INFORMATION DISTRIBUTION AND PROCESSING SYSTEM

Honorable Assistant Commissioner for
Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment for filing and the filing fee is calculated below:

For	No. After Amendment	Highest No. Previously Filed	No. Extra	Small/Large Entry	Fee
Total Claims:	92	20*	72	x \$9/18 =	\$ 648.00
Independent Claims:	6	3**	3	x \$42/14 =	\$ 126.00
TOTAL FEES:					\$ 774.00

* If less than 20; enter 20

** If less than 3, enter 3

A check in the amount of \$744.00 is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 02-1010 (818/39806).

MKN
Mark M. Newman
Reg. No. 31,472

Barnes & Thornburg
750 17th Street, N.W., Suite 900
Washington, D.C. 20006
(202) 289-1313

DC2501 940N 473609

Attorney Docket No: 818/39806
PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 25 2003

Applicant: Hark C. CHAN

Serial No.: 10/073,124

Art Unit: 2684

Filed: February 9, 2002

Examiner: William D. Cumming

For: INFORMATION DISTRIBUTION AND PROCESSING SYSTEM

AMENDMENT

Honorable Assistant Commissioner for

Patents

Washington, D.C. 20231

Sir:

In response to the Office Action of August 26, 2002, please amend the Application as follows:

IN THE CLAIMS:

Please amend Claims 1, 6 and 14 as shown in the attached Appendix.

Please add Claims 16-92 as shown in the attached Appendix.

REMARKS

Reconsideration of the obviousness double patenting rejection of Claims 1-15 is requested in view of the attached Terminal Disclaimer.

Also attached is an Information Disclosure Statement enclosing all of the prior art not previously submitted in this Application, but submitted in the related Applications.

Newly presented Claims 16-92 follow the general format of Claims 1-15. Favorable consideration thereof is requested.

02/27/2003 ND/HTL 00000093 10073124

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05 FC:2201

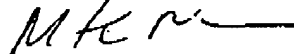
140.00 hr
120.00 hr

Application No. 10/073,124

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees, be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (818/39806).

Respectfully submitted,

BARNES & THORNBURG



Mark M. Newman
Registration No. 31,472
(202) 289-1313

MMN/sld

Attachment:
Appendix

Application No. 10/073,124
Attorney Docket No. 818/39806

APPENDIX

1. (CURRENTLY AMENDED) An information processing apparatus located in a separate site from a sender and a remote site, said apparatus being connected to a local display device for displaying information to a user, said remote site containing a first set of digital data and being in communication with said apparatus, said sender capable of sending a second set of digital data for processing by said apparatus, said apparatus comprising:

a receiver that receives said second set of digital data, said second set of digital data comprising a first set of displayable data; a second set of displayable data; a first set of non-displayable data for indicating a presence of said second set of displayable data; and a first linkage reference associated with said second set of displayable data and said first set of digital data, said first linkage reference being not displayable on said display device;

a timing device that causes said receiver to receive said second set of digital data at predetermined times;

means for displaying said first set of displayable data in a first way on said display device and said second set of displayable data in a second way on said display device, said second way indicating to said user that said second set of displayable data is selectable;

an input device that allows a said user to select said second set of displayable data; and

means for extracting said first linkage reference to obtain an extracted first linkage reference for sending to said remote site if said second set of displayable data is selected.

2. The apparatus of claim 1 wherein said second set of digital data comprises video data.

3. The apparatus of claim 1 wherein at least one of said first and said second sets of digital data is encrypted, and said apparatus further comprising means for decrypting said encrypted digital data.

4. The apparatus of claim 1 wherein said second set of digital data further comprises at least one formatting code and a second set of non-displayable data for indicating a presence of said first linkage reference.

Application No. 10/073,124
Attorney Docket No. 818/39806

5. The apparatus of claim 1 wherein said second set of digital data comprises electronic mail.
6. (CURRENTLY AMENDED) The apparatus of claim 1 wherein said sender ~~sending-sends~~ said second set of digital data using radio frequency signals, and wherein said receiver further comprises a data interface for retrieving said second set of digital data from said radio frequency signals.
7. The apparatus of claim 6 wherein said second set of digital data further comprises at least one formatting code and a second set of non-displayable data for indicating a presence of said first linkage reference.
8. The apparatus of claim 6 wherein said radio frequency signals are television frequency signals.
9. The apparatus of claim 6 wherein said second set of digital data comprises video data.
10. The apparatus of claim 6 wherein said second set of digital data comprises electronic mail.
11. The apparatus of claim 1 wherein said remote site contains a third set of digital data, and wherein said first set of digital data comprises a second linkage reference associated with said third set of digital data.
12. The apparatus of claim 11 wherein said second set of digital data further comprises at least one formatting code and a second set of non-displayable data for indicating a presence of said first linkage reference.
13. The apparatus of claim 11 wherein said second set of digital data comprises video data.
14. (CURRENTLY AMENDED) The apparatus of claim 11 wherein said sender ~~sending-sends~~ said second set of digital data using radio frequency signals, and wherein said receiver further comprises a data interface for retrieving said second set of digital data from said radio frequency signals.
15. The apparatus of claim 14 wherein said radio frequency signals are television frequency signals.

Application No. 10/073,124
Attorney Docket No. 818/39806

16. (NEW) An information processing apparatus located in a site separated from a sender and a remote site, said remote site containing a first set of digital data, said sender capable of sending a second set of digital data to apparatus, said apparatus comprising:
a receiver for receiving said second set of digital data, said second set of digital data comprising a first set of displayable data, a second set of displayable data, and a first linkage reference associated with said second set of displayable data and said first set of digital data;

a timing device for causing said receiver to receive said second set of digital data at predetermined times;

a display device for displaying said first set of displayable data in a first way and said second set of displayable data in a second way, said second way indicating to a user that said second set of displayable data is selectable;

an input device for allowing said user to select said second set of displayable data; and

a processing unit for extracting said first linkage reference to obtain an extracted first linkage reference for sending to said remote site if said second set of displayable set of displayable data is selected.

17. (NEW) The apparatus of claim 16 wherein said second set of digital data further comprises video data.

18. (NEW) The apparatus of claim 16 wherein said second set of digital data further comprises a game.

19. (NEW) The apparatus of claim 16 wherein said second set of digital data further comprises electronic mail.

20. (NEW) The apparatus of claim 16 wherein said second set of digital data further comprises non-displayable data for indicating a presence of said first linkage reference.

21. The apparatus of claim 16 wherein said second set of digital data further comprises at least one formatting code.

22. (NEW) The apparatus of claim 16 wherein said sender comprises a transmitter capable of transmitting said second set of digital data using wireless signals.

23. (NEW) The apparatus of claim 22 wherein said wireless signals comprise television frequency signals.

Application No. 10/073,124
Attorney Docket No. 818/39806

24. (NEW) The apparatus of claim 16 wherein said second way comprises underlining at least a portion of said second set of displayable data.

25. (NEW) The apparatus of claim 16 wherein said second way comprises coloring at least a portion of said second set of displayable data differently than said first set of displayable data.

26. (NEW) The apparatus of claim 16 wherein said remote site contains a third set of digital data, wherein said first set of digital data comprises a second linkage reference associated with said third set of digital data.

27. (NEW) The apparatus of claim 26 wherein said second set of digital data further comprises video data.

28. The apparatus of claim 26 wherein said second set of digital data further comprises a game.

29. (NEW) The apparatus of claim 26 wherein said second set of digital data further comprises electronic mail.

30. (NEW) The apparatus of claim 26 wherein said second set of digital data further comprises non-displayable data for indicating a presence of said first linkage reference.

31. (NEW) The apparatus of claim 26 wherein said sender sends said second set of digital data using wireless signals.

32. (NEW) The apparatus of claim 31 wherein said wireless signals comprise television frequency signals.

33. (NEW) The apparatus of claim 26 wherein said second way comprises underlining at least a portion of said second set of displayable data.

34. (NEW) The apparatus of claim 26 wherein said second way comprises coloring at least a portion of said second set of displayable data differently than said first set of displayable data.

35. (NEW) The apparatus of claim 16 wherein said second set of digital data further comprises a first non-displayable data for indicating a presence of said second set of displayable data.

36. (NEW) The apparatus of claim 35 wherein said second set of digital data further comprises video data.

37. (NEW) The apparatus of claim 35 wherein said second set of digital data further comprises a game.

Application No. 10/073,124
Attorney Docket No. 818/39806

38. (NEW) The apparatus of claim 35 wherein said second set of digital data further comprises electronic mail.
39. (NEW) The apparatus of claim 35 wherein said second set of digital data further comprises a second non-displayable data for indicating a presence of said first linkage reference.
40. (NEW) The apparatus of claim 35 wherein said sender sends said second set of digital data using wireless signals.
41. (NEW) The apparatus of claim 40 wherein said wireless signals comprise television frequency signals.
42. (NEW) The apparatus of claim 35 wherein said second way comprises underlining at least a portion of said second set of displayable data.
43. (NEW) The apparatus of claim 35 wherein said second way comprises coloring at least a portion of said second set of displayable data differently than said first set of displayable data.
44. (NEW) The apparatus of claim 35 wherein said remote site contains a third set of digital data, wherein said first set of digital data comprises a second linkage reference associated with said third set of digital data.
45. (NEW) A system for accessing a first set of digital data at a remote site, said system comprising:
a wireless receiver for receiving one or more alert signals and one or more wireless signals associated with said one or more alert signals and for retrieving a second set of digital data from said one or more wireless signals, said second set of digital data comprising at least one linkage reference associated with said first set of digital data; and
a modulator-demodulator for sending at least a portion of said at least one linkage reference to said remote site and receiving at least a portion of said first set of digital data from said remote site.
46. (NEW) The system of claim 45 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.
47. (NEW) The system of claim 45 wherein said modulator-demodulator is connected to said remote site by a wired connection.
48. (NEW) The system of claim 47 wherein at least a portion of said wired connection comprises cable.

Application No. 10/073,124
Attorney Docket No. 818/39806

49. (NEW) The system of claim 47 wherein at least a portion of said wired connection comprises optic fiber.

50. (NEW) The system of claim 45 wherein said modulator-demodulator is connected to said remote site by a wireless connection.

51. (NEW) The system of claim 45 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail, and a movie.

52. (NEW) The system of claim 45 wherein said first set of digital data comprises at least another linkage reference that can be used to retrieve a third set of digital data.

53. (NEW) The system of claim 52 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.

54. (NEW) The system of claim 52 wherein said modulator-demodulator is connected to said remote site by a wired connection.

55. (NEW) The system of claim 54 wherein at least a portion of said wired connection comprises cable.

56. (NEW) The system of claim 54 wherein at least a portion of said wired connection comprises optic fiber.

57. (NEW) The system of claim 52 wherein said modulator-demodulator is connected to said remote site by a wireless connection.

58. (NEW) The system of claim 52 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail and a movie.

59. (NEW) A system for accessing a first set of digital data at a remote site, said system comprising:

a wireless receiver for receiving one or more alert signals and one or more wireless signals associated with said one or more alert signals and for retrieving a second set of digital data from said one or more wireless signals, said second set of digital data comprising at least one linkage reference associated with said first set of digital data; and

a wired connection for sending at least a portion of said at least one linkage reference to said remote site and receiving at least a portion of said first set of digital data from said remote site.

Application No. 10/073,124
Attorney Docket No. 818/39806

60. (NEW) The system of claim 59 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.

61. (NEW) The system of claim 59 wherein at least a portion of said wired connection comprises cable.

62. (NEW) The system of claim 59 wherein at least a portion of said wired connection comprises optic fiber.

63. (NEW) The system of claim 59 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail, and a movie.

64. (NEW) The system of claim 59 wherein said first set of digital data comprises at least another linkage reference that can be used to retrieve a third set of digital data.

65. (NEW) The system of claim 64 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.

66. (NEW) The system of claim 64 wherein at least a portion of said wired connection comprises cable.

67. (NEW) The system of claim 64 wherein at least a portion of said wired connection comprises optic fiber.

68. (NEW) The system of claim 64 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail, and a movie.

69. (NEW) A method for accessing a first set of digital data at a remote site, said method comprising:

receiving one or more alert signals;

receiving one or more wireless signals associated with said one or more alert signals;

retrieving a second set of digital data from said one or more wireless signals, said second set of digital data comprising at least one linkage reference associated with said first set of digital data; and

using a modulator-demodulator to send at least a portion of said at least one linkage reference to said remote site and receive at least a portion of said first set of digital data from said remote site.

Application No. 10/073,124
Attorney Docket No. 818/39806

70. (NEW) The method of claim 69 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.

71. (NEW) The method of claim 69 wherein said modulator-demodulator is connected to said remote site by a wired connection.

72. (NEW) The method of claim 71 wherein at least a portion of said wired connection comprises cable.

73. (NEW) The method of claim 71 wherein at least a portion of said wired connection comprises optic fiber.

74. (NEW) The method of claim 69 wherein said modulator-demodulator is connected to said remote site by a wireless connection.

75. (NEW) The method of claim 69 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail, and a movie.

76. (NEW) The method of claim 69 wherein said first set of digital data comprises at least another linkage reference that can be used to retrieve a third set of digital data.

77. (NEW) The method of claim 76 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.

78. (NEW) The method of claim 76 wherein said modulator-demodulator is connected to said remote site by a wired connection.

79. (NEW) The method of claim 78 wherein at least a portion of said wired connection comprises cable.

80. (NEW) The method of claim 78 wherein at least a portion of said wired connection comprises optic fiber.

81. (NEW) The method of claim 76 wherein said modulator-demodulator is connected to said remote site by a wireless connection.

82. (NEW) The method of claim 76 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail, and a movie.

Application No. 10/073,124
Attorney Docket No. 818/39806

83. (NEW) A method for accessing a first set of digital data at a remote site, said method comprising:

receiving one or more alert signals;

receiving one or more wireless signals associated with said one or more alert signals;

retrieving a second set of digital data from said one or more wireless signals, said second set of digital data comprising at least one linkage reference associated with said first set of digital data; and

using a wired connection to send at least a portion of said at least one linkage reference to said remote site and receive at least a portion of said first set of digital data from said remote site.

84. (NEW) The method of claim 83 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.

85. (NEW) The method of claim 83 wherein at least a portion of said wired connection comprises cable.

86. (NEW) The method of claim 83 wherein at least a portion of said wired connection comprises optic fiber.

87. (NEW) The method of claim 83 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail, and a movie.

88. (NEW) The method of claim 83 wherein said first set of digital data comprises at least another linkage reference that can be used to retrieve a third set of digital data.

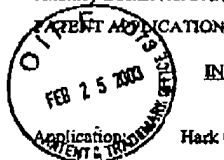
89. (NEW) The method of claim 88 wherein at least a portion of at least one of said first and said second sets of digital data is encrypted.

90. (NEW) The method of claim 88 wherein at least a portion of said wired connection comprises cable.

91. (NEW) The method of claim 88 wherein at least a portion of said wired connection comprises optic fiber.

92. (NEW) The method of claim 88 wherein at least one of said first and said second sets of digital data comprises at least one of a computer game, a video, a graphic image, an electronic mail, and a movie.

Attorney Docket No. 818/39806



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 25 2003
Technology Center 2600

Application No.: Hark C. CHAN

Confirmation No.: 2589

Application No.: 10/073,124

Group Art Unit: 2684

Filed: February 9, 2002

Examiner: William I. Cumming

For: INFORMATION DISTRIBUTION AND PROCESSING SYSTEM

Assistant Commissioner for Patents
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION WITH CERTIFICATE UNDER 37 CFR §3.73(b)**

The owner, **TECHSEARCH, LLC**, certifies that it is the assignee of the entire right title and interest in the patent application identified above which is a continuation of application 09/812,001 filed March 19, 2001, the assignment of which was recorded at Reel 012607 and Frame 0826 by the U.S. Patent and Trademark Office and hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 6,289,200, granted September 11, 2001; 6,317,283 granted November 13, 2001; and 6,349,409, granted February 19, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent application or patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to 156 and 173 of the prior patent application or patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all the documents in the claim of title of the patent application identified with heading above and to the best of undersigned knowledge and belief, title is in the assignee identified above and the undersigned is empowered to sign the terminal disclaimer and certificate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A check in the amount of \$555, under 37 CFR 1.20(d) is enclosed.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in this and in other fees, be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (818/39806).

02/27/2003 10:41:21 00606093 10073124

03 TC:2814

55.00 UP

Respectfully submitted,
BARNES & THORNBURG

Mark M. Newman
Mark M. Newman
Registration No. 31,472
(202) 289-1313

02/28/03 10:41:21 00606093

Attorney Docket No: 818/39806
PATENT APPLICATION



4 D-3-3-03
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 IDS
 FEB 24 2003
 Technology Center 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hark C. CHAN

Serial No.: 10/073,124

Art Unit: 2684

FEB 25 2003

Filed: February 9, 2002

Examiner: William D. Corning

For: INFORMATION DISTRIBUTION AND PROCESSING SYSTEM

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
 Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the U.S. Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of the references cited are being provided herewith for review by the Examiner.

No representation is intended that a complete search has been made of the prior art, or that prior art references other than those listed on the attached form are not available. The citation of these references shall not be construed to be an admission that the information cited in the statement is considered material to patentability of the subject invention.

These references have been made of record in Applicants companion cases and are submitted herewith to complete the record.

Please charge any fees that might be due in connection with this Information Disclosure Statement to Barnes & Thornburg Deposit Account No 02-1010 (818/39806).

Respectfully submitted,

BARNES & THORNBURG

Mark M. Newman
 Reg. No. 31,472

02/27/2003 MMN/sld 00000093 10073124

OF 02:1808

120.00 in

MMN/sld

Attachments:
 PTO Form-1449
 References

Page 1 of 3

Form PTO-100

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.
818/39806

SERIAL NO.
10/073,125

APPLICANT
Hark C. Chan

FILING DATE
February 9, 2002

ART UNIT
2684

LIST OF DOCUMENTS CITED BY APPLICANT
(file several sheets if necessary)

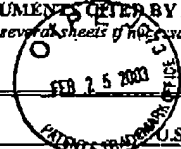
FEB 25 2003

RECEIVED

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	REMARKS
	4,877,404	10/31/89	Warren et al.			
	5,819,034	10/6/98	Kuriakose, et al.			
	4,873,662	10/10/89	Sargent			
	5,241,671	8/31/93	Reed, et al.			
	5,721,827	2/24/98	Logan			
	5,592,551	1/7/97	Len			
	5,530,740	6/25/96	Irribarren			
	5,124,909	6/23/92	Blakely			
	5,058,000	10/15/91	Cox			
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Page 2 of 3

FORM PTO-1419 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 818/39806	SERIAL NO. 10/073,124
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT Hark C. Chan	
		FILING DATE February 9, 2002	ART UNIT 2684



U.S. PATENT DOCUMENTS (Cont.)

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	5,335,278A	08/1994	Marchetti et al.			
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Page 3 of 3

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF DOCUMENTS CITED BY APPLICANT <i>(Use several sheets if necessary)</i>		ATTY DOCKET NO. 818/39806	SERIAL NO. 10/673,124
APPLICANT Hark C. Chan		FILING DATE February 9, 2002	RECEIVED Technology Center Feb 28 2003
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EXAMINER:	DATE CONSIDERED:		
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

PATENT
Attorney Docket No. 101.0052-01000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 2589
Hark C. Chan)	
Serial No.: 10/073,124)	Group Art Unit: 2683
Filed: February 9, 2002)	Examiner: William Cumming
For: INFORMATION DISTRIBUTION)	
AND PROCESSING SYSTEM)	

Mail Stop PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF AMEDEO F. FERRARO

Amedeo F. Ferraro declares as follows:

This declaration is made in support of the above-identified patent application. I am the new attorney for applicant in the above-identified patent application, as evidenced by the Revocation of Original Power of Attorney and Grant of New Power of Attorney submitted concurrently herewith. Also attached are copies of Assignments and Change of Name documents as filed in the U.S. Patent and Trademark Office on April 19, 2005, evidencing the transfer of ownership to Data Innovation, LLC. The facts set forth in this declaration are based on my own first-hand knowledge.

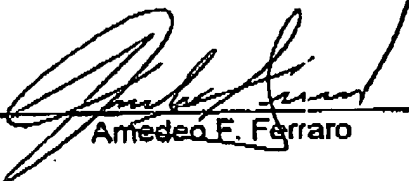
Based on the documents of record at the U.S. Patent and Trademark Office (copies of which are enclosed with the Petition For Withdrawal of Improper Notice of Abandonment), on February 25, 2003, Applicant filed a reply to the Office Action along with associated transmittal documents, Petition Pursuant to 37 CFR 1.136(a), Terminal

Disclaimer, and Information Disclosure Statement with Form PTO-1449, all of which are date-stamped as received by the Patent Office on February 25, 2003.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 1 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

5-12-05

Date


Amedeo F. Ferraro

PATENT

Attorney Docket No. 124.0005-10000

Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 2589
Hark C. Chan)	
Serial No.: 10/073,124)	Group Art Unit: 2683
Filed: February 9, 2002)	Examiner: William Cumming
For: INFORMATION DISTRIBUTION)	
AND PROCESSING SYSTEM)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REVOCATION OF ORIGINAL POWER OF ATTORNEY
AND GRANT OF NEW POWER OF ATTORNEY

Applicant, Data Innovation, LLC, hereby revokes the previous Power of Attorney in the above application and hereby grants its power of attorney to **MARTIN & FERRARO, LLP**, Thomas H. Martin, Reg. No. 34,383; Amedeo F. Ferraro, Reg. No. 37,129; and Todd M. Martin, Reg. No. 42,844; both jointly and separately as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and to receive the Letters Patent.

Please send all future correspondence concerning this application to Martin & Ferraro, LLP at the following address:

Customer No. 22882
Martin & Ferraro, LLP
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

Date: 5/6/05


Name: Rob Beckman
Title: COO
Data Innovation, LLC

COPY

ASSIGNMENT

In consideration of One Dollar and other good and valuable consideration, the value, receipt and sufficiency of which are hereby acknowledged, Hark C. Chan, residing at 861 Brent Drive, Cupertino, CA, (the "ASSIGNOR") does hereby sell, transfer, assign, convey and deliver to TechSearch, L.L.C., an Illinois limited liability company, having a place of business at 500 Skokie Boulevard, Suite 585, Northbrook, IL 60062, ("ASSIGNEE") and the successors, assigns and legal representatives of the ASSIGNEE, the full and exclusive right, title and interest, for, to and in the United States, its territorial possessions and all foreign countries, in and to United States Patent Number 6,314,574 B1 and Application Numbers 09/812,003 and 09/918,338; together with any and all corresponding patent applications, foreign patents and foreign patent applications; any and all reissues, reexaminations, divisions, continuations or continuations in part of any of the foregoing; and any and all claims for damages or equitable relief by reason of past, present or future infringement or other unauthorized use of any of the foregoing, with the exclusive right to sue for and collect the same.

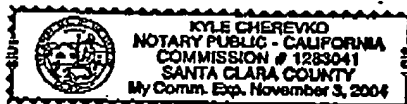
IN WITNESS WHEREOF, ASSIGNOR has hereunto set its hand this 29th day of December, 2001.

Hark C. Chan
Hark C. Chan

STATE OF CALIFORNIA)
COUNTY OF Santa Clara

On this 29th day of December, 2001, before me, Kyle Cherevko, a Notary Public in and for said state, personally appeared Hark C. Chan, who, known to me to be the person described in the foregoing Assignment, being by me duly sworn, did acknowledge that said instrument was signed by him and acknowledged said instrument to be his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.



Kyle Cherevko
Notary Public

My Commission Expires: Nov 3 2004

COPY

ASSIGNMENT

In consideration of Ten Dollars and other good and valuable consideration, the value, receipt and sufficiency of which are hereby acknowledged,

ASSIGNOR: TechSearch, L.L.C., an Illinois limited liability company having a place of business at 500 Skokie Blvd, Suite 585, Northbrook, Illinois 60062

hereby sells, transfers, assigns, conveys and delivers to

ASSIGNEE: IP Innovation, L.L.C., a Texas limited liability company, having a place of business at 500 Skokie Boulevard, Suite 585, Northbrook, IL 60062,

and the successors, assigns and legal representatives of the ASSIGNEE, the full and exclusive right, title and interest, for, to and in the United States, its territorial possessions and all foreign countries, in and to the following United States Patent Numbers:

6,339,693 B1
6,343,380 B1
6,349,409 B1
6,314,574 B1
6,021,307
6,188,869 B1
6,253,059 B1
6,289,200 B1
6,317,785 B1

together with: and any and all corresponding foreign patent applications; any and all reissues, reexaminations, divisions, continuations or continuations in part of any of the foregoing; and any and all claims for damages or equitable relief by reason of past, present or future infringement or other unauthorized use of any of the foregoing, with the exclusive right to sue for and collect the same.

IN WITNESS WHEREOF, ASSIGNOR has hereunto set its hand this 1st day of August, 2002.

TECHSEARCH, L.L.C.

By: 

Its President

ASSIGNMENT

COPY

In consideration of Ten Dollars and other good and valuable consideration, the value, receipt and sufficiency of which are hereby acknowledged, IP Innovation, LLC, a Texas limited liability company, having a place of business at 500 Skokie Boulevard, Suite 585, Northbrook, IL 60062 (the "ASSIGNOR") does hereby sell, transfer, assign, convey and deliver to Automatic Light Switch, L.L.C., a Florida limited liability company, having a place of business at 500 Skokie Boulevard, Suite 585, Northbrook, IL 60062, ("ASSIGNEE") and the successors, assigns and legal representatives of the ASSIGNEE, the full and exclusive right, title and interest, for, to and in the United States, its territorial possessions and all foreign countries, in and to United States Patent Numbers 6,021,307; 6,473,860; 6,188,869; 6,343,380; 6,253,059; 6,289,200; 6,317,785; 6,349,409; 6,339,693; and 6,347,215; together with and any and all corresponding foreign patent applications, any and all reissues, reexaminations, divisions, continuations or continuations in part of any of the foregoing and any and all claims for damages or equitable relief by reason of past, present or future infringement or other unauthorized use of any of the foregoing, with the exclusive right to sue for and collect the same; but excluding United States Patent Number 6,314,574 and all corresponding foreign patent applications, any and all reissues, reexaminations, divisions, continuations or continuations in part of United States Patent Number 6,314,574.

IN WITNESS WHEREOF, ASSIGNOR has hereunto set its hand this 15th day of November, 2002.

IP INNOVATION, LLC

By: 

Anthony O. Brown, President

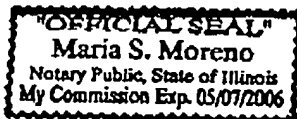
STATE OF ILLINOIS)
COUNTY OF COOK)

On this 15th day of November, 2002, before me, Anthony O. Brown a Notary Public in and for said state, personally appeared Anthony O. Brown, who, known to me to be the person described in the foregoing Assignment, being by me duly sworn, did acknowledge that said instrument was signed by him and acknowledged said instrument to be his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.


Notary Public

My Commission Expires: 5/17/06



**FLORIDA DEPARTMENT OF STATE****Jim Smith**
Secretary of State

December 17, 2002

ANTHONY O. BROWN
AUTOMATIC LIGHTSWITCH, LLC
500 SKOKIE BLVD., STE. 585
NORTHBROOK, IL 60062

Re: Document Number L00000012437

The Articles of Amendment to the Articles of Organization for **AUTOMATIC LIGHTSWITCH, L.L.C.** which changed its name to **DATA INNOVATION LLC**, a Florida limited liability company, was filed on December 16, 2002.

Should you have any questions regarding this matter, please telephone (850) 245-6051, the Registration Section.

Trevor Brumbley
Document Specialist
Division of Corporations

Letter Number: 702A000166348

COPY

COPY

ARTICLES OF AMENDMENT
TO
ARTICLES OF ORGANIZATION
OF

AUTOMATIC LIGHTSWITCH LLC

(Present Name)
(A Florida Limited Liability Company)

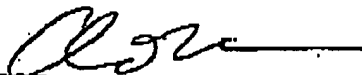
FIRST: The date of filing of the articles of organization was October 2, 2000

SECOND: The following amendment(s) to the articles of organization was/were adopted by the limited liability company:

Article 1 of the Articles of Organization is hereby amended to provide as follows:

"The name of the limited liability company shall be Data Innovation LLC (hereinafter the "Company"). The principal place of business of the Company shall be 600 Skokie Boulevard, Suite 585, Northbrook, Illinois. The mailing address shall be 600 Skokie Boulevard, Suite 585, Northbrook, IL 60062.

Dated December 15, 2002



Signature of a member or authorized representative of a member

Anthony O. Brown

Typed or printed name of signer

02 DEC 16 AM 9:46
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/03 BY 60322
UCBAW/STP/STP

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